



## DECISIONS, NOTICES AND ORDERS

**Friday, June 7, 2019**

The Supreme Court of Appeals of West Virginia has taken action in the following cases. This list contains only the action taken by the Court, not the content or actual date of orders or decisions.

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### MEMORANDUM DECISIONS

In accordance with Rule 21, memorandum decisions were entered in the following cases:

Jack Bruer v. RBM Development, LLC, et al., No. 17-0936 (Kanawha 10-C-1342)  
Affirmed (5-0)

Michael E. Taccino, Sr. v. Forest City Residential Management, Inc., et al., No. 17-0949  
(Mineral 17-C-31)  
Affirmed (5-0)

D.B. v. S.L., et al., No. 18-0176 (Harrison 04-DV-218-4, 08-DV-112-4, 08-DV-241-4, 09-DV-62-4, 09-DV-63-4, 09-DV-318-5, 09-DV-319-4, 09-DV-62-4, 10-DV-26-4)  
Affirmed (5-0)

In Re: R.V., No. 18-0300 (Wood 17-CIG-2)  
Dismissed and remanded (5-0)

Frederick and Teresa Suck v. Don and Sandra Reed, No. 18-0397 (Jackson 17-C-36)  
Affirmed (5-0)

In Re: A.N., D.N., S.N., and B.N., No. 18-0351 (Monongalia 15-JA-86 to 89)  
Affirmed (5-0)

State of West Virginia v. Nathaniel Ray Wegman, No. 17-1041 (Randolph 16-F-59)  
Affirmed (5-0)

Jimmie Hieneman v. Brown & Williamson Holdings Company, Inc., No. 18-0413  
(*In Re: Tobacco Litigation*, No. 00-C-5000, Kanawha 98-C-2371)  
Affirmed (4-0) (Justice Hutchison disqualified)

Pamela Schade v. West Virginia University, et al., No. 18-0512 (Monongalia 11-C-346)  
Affirmed (4-1) (Justice Hutchison dissenting, in writing)

ORDER LIST

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Jessica M. v. J.D. Sallaz, Acting Superintendent, No. 17-1142 (Ohio 10-C-406)  
Affirmed (5-0)

Hamada E. Mahmoud, M.D. v. WV Department of Health and Human Resources, Bureau for Public Health, No. 18-0335 (Kanawha 17-AA-32)  
Affirmed (4-0)(Justice Workman disqualified)

State of West Virginia v. Rakeem Newman, No. 17-1040 (Jefferson CC-19-2017-F-13)  
Affirmed (5-0)

State of West Virginia v. Malakye Boyd, No. 17-1067 (Jefferson CC-19-2017-F-15)  
Affirmed (5-0)

**RULE 19 ARGUMENT GRANTED**

The following cases will be scheduled for Rule 19 oral argument on the dates stated:

Adam Holley, Acting Commissioner v. Joshua Feagley, No. 18-0702 (Monongalia 18-C-178)  
September 10, 2019

Shirley Stewart Burns v. WV Department of Education and the Arts, No. 18-0293  
(Kanawha 16-C-319)  
October 15, 2019

WV Division of Corrections, et al. v. P.R., No. 18-0705 (Kanawha 13-C-578)  
October 16, 2019

**RULE 20 ARGUMENT GRANTED**

The following cases will be scheduled for Rule 20 oral argument on the dates stated:

McElroy Coal Company, et al. v. Gary R. Dobbs, Nos. 18-0134 and 18-0135  
(Marshall 09-C-20)  
September 4, 2019

Timothy Newton v. Morgantown Machine & Hydraulics of WV, Inc. and Swanson Industries,  
No. 18-0653 (Monongalia 18-C-117)  
October 29, 2019, at Southern West Virginia Community and Technical College in Mount Gay,  
West Virginia as part of the Court's LAWS Program.

WV Department of Transportation, Division of Highways v. Lawrence and Michael Pifer,  
No. 18-0517 (Wood 10-C-95)  
October 30, 2019